

THE JACOBS REPORT

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HELMET REPEAL PASSES HOUSE 66-37

Governor Vows Veto

For the first time in history, legislation to repeal Michigan's helmet law has passed both the House and Senate and will be delivered to the governor's desk for signature into law.

The governor, however, promised a veto.

SB 297 was passed on a 66-37 vote, with 19 Republicans and 18 Democrats opposing the legislation. The bill exempts helmet wear for individuals 21 years of age or older, who have been licensed to operate a motorcycle for at least two years or who have taken a motorcycle safety course, and who also have \$10,000 for personal injury insurance protection.

Prior to session in the House, several hundred members of American Bikers Aiming Toward Education (ABATE) held a rally in support of the helmet repeal, which the group has been championing since 1976. Following House passage of the bill, members in the gallery cheered and waived U.S. flags.

Michigan's helmet requirement has been in place since 1967.

As it always has, the debate contrasted safety concerns with individual freedom. Economic arguments were also advanced, as some vacationing cyclists from other states have gone on record saying that they avoid travel to Michigan because of the helmet law.

According to the Secretary of State, Michigan is home to over 442,000 registered motorcyclists.

Here is the roll call:

REPUBLICANS FOR (36): Acciavatti, Amos, Baxter, Brandenburg, Caswell, Caul, DeRoche, Drolet, Elsenheimer, Emmons, Garfield, Gosselin, Hildenbrand, Hoogendyk, Huizenga, Hummel, Hune, Jones, LaJoy, Marleau, Meyer, Mortimer, Nitz, Palsrok, Pastor, Pavlov, Robertson, Rocca, Shaffer, Sheen, Stahl, Stakoe, Steil, Stewart, Van Regenmorter and Ward.

DEMOCRATS FOR (30): Accavitti, Adamini, Anderson, Bennett, Brown, Byrum, Clack, Condino, Cushingberry, Dillon, Donigan, Espinoza, Farrah, Gillard, Gleason, Gonzales, Hopgood, Hunter, K. Law, Leland, Mayes, McConico, McDowell, Miller, Plakas, Sheltroun, Spade, Williams, Wojno and Zelenko.

REPUBLICANS AGAINST (19): Ball, Booher, Farhat, Gaffney, Green, Hansen, Kahn, Kooiman, D. Law, Moolenaar, Newell, Nofs, Pearce, Proos, Schuitmaker, Taub, Vander Veen, Walker and Wenke.

DEMOCRATS AGAINST (18): Angerer, Bieda, Byrnes, Cheeks, Clemente, Hood, Kolb, Lemmons Jr., Lipsey, Meisner, Murphy, Polidori, Sak, A. Smith, V. Smith, Tobocman, Vagnozzi and Waters.

ABSENT: Casperson, Lemmons III, Moore and Palmer.

STERIOD BILLS PASS SENATE

Anti-Cheating Legislation Lacks Muscle

The Senate passed legislation that would prohibit kids who get caught using steroids from participating in school-sponsored sports.

While the bill was on the Senate floor, Senator Mickey Switalski (D-Roseville) floated an amendment that would require testing for all statewide tournament participants.

Switalski reasoned that this amendment would put teeth in the bill and show kids and parents that the state is serious about preventing steroid use. Test costs would have been offset by a \$1 fee that would be set aside for that purpose.

Sen. Wayne Kuipers (R-Holland), the chair of the Senate Education Committee, opposed the amendment, which eventually failed.

“This amendment does nothing to stop the problem,” Kuipers said.

Although the bill passed 37-1, it isn’t clear whether or not it would do anything to curb the steroid problem. If testing isn’t required, evidence of usage isn’t likely to materialize.

JACOBS PUSHES FOR CELL PHONE CONSUMER PROTECTIONS

Cell Phone Bill of Rights would force reform; improve service

Senate Democrats introduced legislation to give consumers increased protection in their dealings with cell phone providers. The comprehensive package calls for quality of service standards, requires companies to provide accurate coverage maps, and increases oversight of marketing and billing practices.

“In this age where most adults and half of the teenagers have cell phones, the term wireless should not mean powerless,” said Sen. Gilda Z. Jacobs (D-Huntington Woods), the bill sponsor. “This legislation simply provides consumers the leverage to demand fairness in plans and service.”

The Jacobs legislation also requires clear identification of package minute usage; good faith estimates of monthly service; and legible and unambiguous contract language. In addition, customers would have a 20-day grace period to cancel contracts and would receive full refunds.

The maximum a wireless provider could charge for early contract termination is \$20. Providers would also be required to notify subscribers 30 days prior to contract expiration.

“It can be especially difficult for seniors to keep up with the frequent advances in technology, and even more difficult for them to keep track of the changing rules of wireless contracts,” said Sen. Deb Cherry (D-Burton). “The Cell Phone Bill of Rights would protect every single cell phone user in Michigan and help put consumers on a level playing field with providers.”

As of June, 2005, wireless subscribers in Michigan increased to 6.24 million from 5.43 million from the previous year.

All Michigan legislation can be tracked at <http://www.legislature.michigan.gov/>.

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State Senator Gilda Jacobs represents the 14th Senate District, which includes Beverly Hills, Bingham Farms, Farmington, Farmington Hills, Ferndale, Franklin, Hazel Park, Huntington Woods, Lathrup Village, Oak Park, Pleasant Ridge, Royal Oak Township, Southfield, and Southfield Township. She is the Minority Vice Chair of the Families & Human Services Committee and the Economic Development, Small Business & Regulatory Reform Committee. She also serves on the Government Operations and Health Policy Committees.

Constituents of the 14th District may contact Senator Jacobs at sengjacobs@senate.michigan.gov or toll-free at 1-888-937-4453.

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